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January 7, 2003

Molly Holt
Office of the General Counsel for Ocean Services
SSMC4, Rm 6111
1305 East West Highway
Silver Spring, MD 20910

Re: Comment of New York City on the Appeal of the Millennium Pipeline
Company, L.P. from the New York State Department of State CZMA
Consistency Objection

Dear Ms. Holt:

I write to comment on the above referenced matter. The Millennium Pipeline Company, L.P. ("Millennium") recently conducted a field survey of the Bryn Mawr Siphon, in Yonkers, New York, where Millennium proposes to build a natural gas pipeline across a major water supply aqueduct of the City of New York ("City").

Some have questioned whether Millennium's inspection indicates that the City has acquiesced to the pipeline crossing the Catskill Aqueduct at the Bryn Mawr Siphon. I write to state that the City remains opposed to the pipeline crossing the Bryn Mawr Siphon, where Millennium has proposed an inadequate separation distance between the pipeline and aqueduct. Millennium's proposal is unacceptable because the construction and operation of a major gas pipeline so close to the Catskill Aqueduct would pose a danger to 40 percent of the City's water supply. The City's position that the pipeline poses risks to the Aqueduct is supported by the U.S. Army Corps of Engineers. The City believes that an alternative crossing, adequately set back from the Catskill Aqueduct, is available to Millennium and should be selected.

The City permitted Millennium to inspect the Bryn Mawr Siphon because the Federal Energy Regulatory Commission, in its order of September 19, 2002, informed the City that it would forfeit its opportunity to direct an independent review of a future pipeline crossing design if the City continued to oppose Millennium's field inspection of the Bryn Mawr Siphon.

The City continues to oppose the crossing at the Bryn Mawr Siphon.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Mark P. McIntyre".

Mark P. McIntyre
Assistant Corporation Counsel
Environmental Law Division

cc: Frederic G. Berner, Jr.
Glen Bruening
Neil L. Levy
Daniel Riesel